

**REMARKS/ARGUMENTS**

After the foregoing Amendment, claims 1 – 20 are currently pending in this application.

**Claim Rejections - 35 USC §103**

Claims 1, 2, 5 – 7, 11, 12 and 15 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,324,160 to Martin et al. (hereinafter Martin) in view of U.S. Patent No. 7,272,163 to Hao et al. (hereinafter Hao).

Claims 3, 4, 8 – 10, 13, 14 and 18 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin and Hao, and further in view of U.S. Publication No. US 2007/0076581 A1 to Hadad (hereinafter Hadad).

As Applicants argued in response to the March 20, 2008 Office Action, Martin does not suggest or teach a timing controller coupled to the selector that determines a gross timing offset of the selected reverse link signal to align the selected reverse link signal with reverse link signals from other subscriber units using the common code with the common phase. The portion, again, cited by the Examiner, reads as follows:

In a delay circuit 22a through 22d, prior to input in the downstream correlator bank, the scalar complex output signal  $r_{\mu}(i)$  of each vector combinatory obtained after the addition of the I/Q demodulated antenna signals, weighted by their direction of incidence, is delayed by a signal propagation time  $\tau_{\mu}$  that is characteristic for the

signal path to be detected by the respective processing path. The value of the signal propagation time is such that the signal components incoming over the signal paths detected at different points in time are synchronized. The characteristic signal propagation times  $\tau_u$  and direction signature vectors  $\hat{a}_u$  are made available for the individual signal paths to be analyzed by the direction signature and propagation time estimator circuit 3.

Direction signature and propagation time circuit 3 is responsible for determining the direction signature vector  $\hat{a}_u$  and the corresponding characteristic propagation time  $\tau_u$  for each signal path to be detected by a processing path, and for adjusting these parameters according to the changing conditions of the CDMA wireless interface system for the existing link.

As is clearly stated in the above-cited portion, the Martin system delays a signal by its signal propagation time in order to then analyze the signal by the direction signature and propagation time estimator circuit. The direction signature and propagation time circuit then determines the direction signature vector and the corresponding characteristic propagation time for each signal path for adjusting these parameters according to the changing conditions of the CDMA wireless interface system for the existing link.

There is nothing in the above-cited portion of Martin also cited by the Examiner that suggests or teaches a timing controller that determines a gross timing offset of a selected reverse link signal to align the selected reverse link signal with reverse link signals from other subscriber units using the common code with a

common phase. In fact, Martin does not disclose a system that aligns a reverse link signal to any other signals. Martin, again, uses the propagation time, so that the signal components incoming over the signal paths detected at different points in time are synchronized. There is no disclosure by Martin of the synchronization of the signals to each other.

Hao, as the Examiner admits, teaches only the use of a common code and unique orthogonal codes. Neither Martin nor Hao discloses the timing controller coupled to the selector that determines a gross timing offset of the selected reverse link signal to align the selected reverse link signal with reverse link signals from other subscriber units using a common code with a common phase.

Claims 2 – 10 and 12 – 20 are dependent upon claims 1 and 11, and the Applicant believes these claims are allowable over the cited references of record for the same reasons provided above.

Based on the arguments presented above, withdrawal of the §103 rejection is respectfully requested.

**Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this

**Applicant: James A. Proctor Jr.**  
**Application No.: 10/767,843**

application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,  
  
James A. Proctor Jr.

By /Darryl W. Shorter/  
Darryl W. Shorter  
Registration No. 47,942

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103  
Telephone: (215) 568-6400  
Facsimile: (215) 568-6499

DWS/rls